Case 5:03-cr-20065-JF Document 106 Filed 10/08/09 Page 1 of 1 UNITED STATES DISTRICT COURT

THE NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION

In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing was held on PD\$ BD. Defendant was present, represented by his attorney A. MONALO The United States was represented by Assistant U.S. Attorney. Check PART I. PRESUMPTIONS APPLICABLE H. The defendant is changed with the Contract of the United States was represented by Assistant U.S. Attorney. Check PART I. PRESUMPTIONS APPLICABLE H. The defendant is changed with the Contract of the United States was represented by Assistant U.S. Attorney. Check PART II. RESEXUMPTIONS APPLICABLE H. The defendant is changed with the Contract of the United States was represented by Assistant U.S. Attorney. Check PART II. RESEXUMPTIONS PART III. RESEXUMPTIONS PRESEXUMPTIONS RESEXUATED FOR THE ART III. RESEXUMPTIONS RESEXUATED AND RESEXUATED PRESEXUMPTIONS RESEXUATED FOR THE ART III. RESEXUATED OF TOO Shifts back to the United States. PART III. PROOF (WHERE PRESUMPTIONS REPUTITED OR INAPPLICABLE) / The defendant has not come forward with sufficient evidence to rebut the applicable presumption of conditions will reasonably assure the applicable presumption proper is a presexuated by Contract of the Contra	UNITED STATES OF AMERICA, Plaintiff,	Case Number <u>C12-03-20065-62 JF</u>
PART I. PRESUMPTIONS APPLICABLE A period of a prior offense described in 18 U.S.C. § 142(2(f)(1) while on release pending trial for a federal patte or local strians, and a periodor not more than the (5) years has elepsed since the date of convibion or the release of the person from interisonment, whichever is later. This establishes a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of any other person and the community. A. for which a maximum term of imprisonment of 10 years or more is prescribed in 21 U.S.C. § 14 and the seeman of the defendant as committed are reflected. **A personably assure the safety of the defendant are reflected. **A personably assure the safety of the defendant are reflected. **A personably assure the safety of the community. A. for which a maximum term of imprisonment of 10 years or more is prescribed in 21 U.S.C. § 14 and the seeman of the defendant are reflected. **A personably assure the safety of the community. This establishes a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of the community. A. for which a maximum term of imprisonment of 10 years or more is prescribed in 21 U.S.C. § 14 and 15 years or more is prescribed in 21 U.S.C. § 15 years or more is prescribed in 21 U.S.C. § 16 years or more is prescribed in 21 U.S.C. § 16 years or more is prescribed in 21 U.S.C. § 16 years or more is prescribed in 21 U.S.C. § 16 years or more is prescribed in 21 U.S.C. § 16 years or more is prescribed in 21 U.S.C. § 16 years or more is prescribed in 21 U.S.C. § 16 years or more is prescribed in 21 U.S.C. § 16 years or more is prescribed in 21 U.S.C. § 16 years or more is prescribed in 21 U.S.C. § 16 years or more is prescribed in 21 U.S.C. § 16 years or more is prescribed in 21 U.S.C. § 16 years or more is prescribed in 21 U.S.C. § 16 years or more is prescribed in 21 U.S.C. § 16 years or more is prescribed in 21 U.S.C. § 16 years or more is prescribed in 21 U.S.C. § 16 y	V. Malthew Marke_, Defer	
ATT. PRESIMPTIONS APPLICABLE ATTHE defendant is charged with a whether desirates in 1s U.S.C. § 3142(91) while on release pending trial for a federal, state or local affense, and a period of a gior offense described in 18 U.S.C. § 3142(9(1) while on release pending trial for a federal, state or local affense, and a period of not more than five (5) years has edgesed since the date of conviction or the release of the person from imprisonment, whichever is later. This establishes a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of any other person and the community. A for which a maximum term of imprisonment of 10 years or more is prescribed in 21 U.S.C. § 801 et seq., 6 951 et seq., or § 955a et seq., OR B under 18 U.S.C. § 924(c) use of a firearm during the commission of a felony. This establishes a rebuttable presumption that no condition or combination of conditions will reasonably assure the 20 separance of the defendant as required and the safety of the community. A persumption applies. PART II. REBUTTAL OF PRESUMPTIONS, IF APPLICABLE A Thus, the burden of proof shifts back to the United States. PART III. PROOF (WIEEE PRESUMPTIONS REBUTTED OR INAPPLICABLE) A The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, AND/OR A The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, AND/OR A The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community. PART IV. WRITTER FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION A The Court has taken into account the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: A Heart A	present, represented by his attorney	The United States was represented by Assistant U.S. Attorney
of a giror offense described in 18 U.S.C. § 3142(f()) while on release pending trial for a federal state or local affaines, and a periode font more than five (5) years has elapsed since the date of conviction or the release of the person from imprisonment, whichever is later. This establishes a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of any other person and the community. A. There is probable cause based upon (the interview) the facts found in Part IV better) to believe that the defendant has committed any different volution. A. To rewrite the volution of the interview of 10 years or more is prescribed in 21 U.S.C. § 801 et seq., § 951 et seq., or § 955a et seq., OR B. under 18 U.S.C. § 924(c): use of a firearm during the commission of a felony. This establishes a rebuttable presumption that no condition or combination of conditions will reasonably assure the presumption applies. PART II. REBUTTAL OF PRESUMPTIONS, IF APPLICABLE // The defendant has not come forward with sufficient evidence to rebut the applicable presumption[s], and he therefore will be ordered detained. // The defendant has come forward with evidence to rebut the applicable presumption[s], and he therefore will be ordered detained. // The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, AND/OR // The United States has proved by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community. PART IV. WRITTEN FROINCS OF FACT AND STATEMENT OF REASONS FOR DETENTION ATT The Court has taken into account the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows. The defendant is community of the Automation of the Automation of the Automation for the Automation of the Automation for the Automation for the Automa	The defendant is charged with an offense	tesoribed in 18 U.S.C. § 3142(f)(1) and the defendant has been convicted
periodof not more than five (3) years has elapsed since the date of convidion or the release of the person from inprisonmout, whichever is later. This establishes a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of any other person and the community. A. There is probable cause based upon (the faces found in Part IV below) to believe that the defendant has committed an offense Voloted his appropriate the faces found in Part IV below) to believe that the defendant has committed an offense Voloted his appropriate Voloted His American Volo	of a prior offense described in 18 U.S.C. § 3142(f)(1)	while on release pending trial for a federal state or local offense, and a
This establishes a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of any other person and the community. A. There is probable cause based upon (the individual condition of conditions will reasonably assure the safety of any other person and the community. A. for which a maximum term of imprisonment of 10 years or more is prescribed in 21 U.S.C. § 1 et seq., or § 955a et seq., or § 955a et seq., OR B. under 18 U.S.C. § 924(c): use of a firearm during the commission of a felony. This establishes a rebuttable presumption that no condition or combination of conditions will reasonably assure the 0 8 2009 appearance of the defendant as required and the safety of the community. // No presumption applies. PART II. REBUTTAL OF PRESUMPTIONS, IF APPLICABLE // The defendant has not come forward with evidence to rebut the applicable presumption[s], and he therefore will be ordered detained. // The defendant has come forward with evidence to rebut the applicable presumption[s] to wit: Thus, the burden of proof shifts back to the United States. PART III. PROOF (WHERE PRESUMPTIONS REBUTTED OR INAPPLICABLE) // The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, AND/OR // The United States has proved by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community. PART IV. WRITTEN FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION // The Court has taken into account the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: \(\frac{1}{2} \) \(\frac{1}{2}	period of not more than five (5) years has elapsed sinc	e the date of conviction or the release of the person from imprisonment,
of any other person and the community. There is probable cause based upon (the informative like fasts found in Part IV below) to believe that the defendant has committed an offense Volcated Aris appropriate (10 years or more is prescribed in 21 U.S.C. § 821(c); use of a firearm during the commission of a felony. This establishes a rebuttable presumption that no condition or combination of conditions will reasonably assure the 0 8 2009 appearance of the defendant as required and the safety of the community. /- No presumption applies. PART II. REBUTTAL OF PRESUMPTIONS, IF APPLICABLE /- The defendant has not come forward with sufficient evidence to rebut the applicable presumption[s], and he therefore will be ordered detained. /- The defendant has come forward with evidence to rebut the applicable presumption[s] to wit: Thus, the burden of proof shifts back to the United States. PART III. PROOF (WHERE PRESUMPTIONS REBUTTED OR INAPPLICABLE) /- The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, AND/OR /- The United States has proved by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community. PART IV. WRITTER FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION ATTERIEST FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION ATTERIEST FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION ATTERIEST FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION ATTERIEST FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION ATTERIEST FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION ATTERIEST FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION ATTERIEST FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION AND ADMINISTRATE AND STATEMENT OF REASONS FOR DETENTION The defendant, his attorney, and the AUSA have waived written findings. PART V. DIRECTIONS REGARDING DETENTIO		
There is probable cause based upon (the interventer) (the facts found in Part IV below) to believe that the defendant has committed an offerst by colored the anaximum term of imprisonment of 10 years or more is prescribed in 21 U.S.C. § 801 et seq., § 951 et seq., or § 955a et seq., or R B		
A for which a maximum term of imprisonment of 10 years or more is prescribed in 21 U.S.C. § 801 et seq., § 951 et seq., or § 955a et seq., or R B under 18 U.S.C. § 924(c): use of a firearm during the commission of a felony. This establishes a rebuttable presumption that no condition or combination of conditions will reasonably assure the 0 8 2009 appearance of the defendant as required and the safety of the community. /- No presumption applies. PART II. REBUTTAL OF PRESUMPTIONS, IF APPLICABLE /- The defendant has not come forward with sufficient evidence to rebut the applicable presumption[s], and he therefore will be ordered detained. /- The defendant has come forward with evidence to rebut the applicable presumption[s] to wit: Thus, the burden of proof shifts back to the United States. PART III. PROOF (WHERE PRESUMPTIONS REBUTTED OR INAPPLICABLE) /- The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, AND/OR /- The United States has proved by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community. PART IV. WRITTEN FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION	There is probable cause based upon (the	am 12
A for which a maximum term of imprisonment of 10 years or more is prescribed in 21 U.S.C. § 801 et seq., of § 951 et seq., of § 955 at seq., or R B under 18 U.S.C. § 924(c): use of a firearm during the commission of a felony. This establishes a rebuttable presumption that no condition or combination of conditions will reasonably assure the 0 8 2009 appearance of the defendant as required and the safety of the community. /- No-presumption applies. PART II. REBUTTAL OF PRESUMPTIONS, IF APPLICABLE / / The defendant has not come forward with sufficient evidence to rebut the applicable presumption[s], and he therefore will be ordered detained. / / The defendant has come forward with evidence to rebut the applicable presumption[s] to wit: Thus, the burden of proof shifts back to the United States. PART III. PROOF (WHERE PRESUMPTIONS REBUTTED OR INAPPLICABLE) / / The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, AND/OR / / The United States has proved by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community. PART IV. WRITTEN FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETERMITION // The Court has taken into account the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: **Description** **Descri	has committed an offense Vullated his a	Muse and filles L conditions.
B. under 18 U.S.C. § 924(c): use of a firearm during the commission of a felony. This establishes a rebuttable presumption that no condition or combination of conditions will reasonably assure the 0 8 2008 appearance of the defendant as required and the safety of the community. — No presumption applies. PART II. REBUTTAL OF PRESUMPTIONS, IF APPLICABLE / / The defendant has not come forward with sufficient evidence to rebut the applicable presumption[s], and he therefore will be ordered detained. / / The defendant has come forward with evidence to rebut the applicable presumption[s] to wit: Thus, the burden of proof shifts back to the United States. PART III. PROOF (WHERE PRESUMPTIONS REBUTTED OR INAPPLICABLE) / / The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, AND/OR / / The United States has proved by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community. PART IV. WRITTEN FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION # The Court has taken into account the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: The property of the community of the language of the community of the language of the langu	A. for which a maximum term	of imprisonment of 10 years or more is prescribed in 21 H.S.C. s.
B. under 18 U.S.C. § 924(c): use of a firearm during the commission of a felony. This establishes a rebuttable presumption that no condition or combination of conditions will reasonably assure the 0 8 2008 appearance of the defendant as required and the safety of the community. — No presumption applies. PART II. REBUTTAL OF PRESUMPTIONS, IF APPLICABLE / / The defendant has not come forward with sufficient evidence to rebut the applicable presumption[s], and he therefore will be ordered detained. / / The defendant has come forward with evidence to rebut the applicable presumption[s] to wit: Thus, the burden of proof shifts back to the United States. PART III. PROOF (WHERE PRESUMPTIONS REBUTTED OR INAPPLICABLE) / / The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, AND/OR / / The United States has proved by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community. PART IV. WRITTEN FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION # The Court has taken into account the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: The property of the community of the language of the community of the language of the langu	801 et seq., § 951 et seq., or	§ 955a et seg OR
This establishes a rebuttable presumption that no condition or combination of conditions will reasonably assure the 0 8 2009 appearance of the defendant as required and the safety of the community. //No presumption applies. PART II. REBUTTAL OF PRESUMPTIONS, IF APPLICABLE // The defendant has not come forward with sufficient evidence to rebut the applicable presumption[s], and he therefore will be ordered detained. // The defendant has come forward with evidence to rebut the applicable presumption[s] to wit: Thus, the burden of proof shifts back to the United States. PART III. PROOF (WHERE PRESUMPTIONS REBUTTED OR INAPPLICABLE) // The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, AND/OR // The United States has proved by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community. PART IV. WRITTER FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION // The Court has taken into account the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: **District States** Description** Descriptio	R under 18 II S C & 024(a): 10	to of a fireness during the commission of a file
appearance of the defendant as required and the safety of the community. // No presumption applies. PART II. REBUTTAL OF PRESUMPTIONS, IF APPLICABLE // The defendant has not come forward with sufficient evidence to rebut the applicable presumption[s], and he therefore will be ordered detained. // The defendant has come forward with evidence to rebut the applicable presumption[s] to wit: Thus, the burden of proof shifts back to the United States. PART III. PROOF (WHERE PRESUMPTIONS REBUTTED OR INAPPLICABLE) // The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, AND/OR // The United States has proved by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community. PART IV. WRITTEN FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION ## The Court has taken into account the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: ** **Yhing Alexandra Ale	This establishes a rebuttable presumption that	no condition or combination of conditions will reasonably assure the 0.8 2000
PART II. REBUTTAL OF PRESUMPTIONS, IF APPLICABLE // The defendant has not come forward with sufficient evidence to rebut the applicable presumption[s], and he therefore will be ordered detained. // The defendant has come forward with evidence to rebut the applicable presumption[s] to wit: Thus, the burden of proof shifts back to the United States. PART III. PROOF (WHERE PRESUMPTIONS REBUTTED OR INAPPLICABLE) // The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, AND/OR // The United States has proved by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community. PART IV. WRITTEN FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION // The Court has taken into account the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: ** **Discount for the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: **Discount for the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: **Discount for the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: **Discount for the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: **Discount for the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: **Discount for factors factors for factors fact	appearance of the defendant as required and the safety	of the community.
/ / The defendant has not come forward with sufficient evidence to rebut the applicable presumption[s], and he therefore will be ordered detained. / / The defendant has come forward with evidence to rebut the applicable presumption[s] to wit: Thus, the burden of proof shifts back to the United States. PART III. PROOF (WHERE PRESUMPTIONS REBUTTED OR INAPPLICABLE) / / The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, AND/OR / / The United States has proved by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community. PART IV. WRITTEN FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION The Court has taken into account the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: This objection of the proposed of the August proposed of the proposed of the August proposed of the Community of the August proposed of the community of the Community of the August proposed of the community of the defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on the request of an attorney for the Government, the person in charge of the corrections facility shall deliver the lefendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.		WORTH AND THE STATE OF THE STAT
therefore will be ordered detained. / / The defendant has come forward with evidence to rebut the applicable presumption[s] to wit: Thus, the burden of proof shifts back to the United States. PART III. PROOF (WHERE PRESUMPTIONS REBUTTED OR INAPPLICABLE) / / The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, AND/OR / / The United States has proved by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community. PART IV. WRITTEN FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION ### The Court has taken into account the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: **Wich defendants** And C. Augusters Allers Augusters Auguster	·	
Thus, the burden of proof shifts back to the United States. PART III. PROOF (WHERE PRESUMPTIONS REBUTTED OR INAPPLICABLE) / The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, AND/OR / The United States has proved by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community. PART IV. WRITTEN FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION ATT The Court has taken into account the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: Neighborhood for the factors of the description of the information of the information of the information submitted at the hearing and finds as follows: Neighborhood for the factors of the information submitted at the hearing and finds as follows: Neighborhood for the factors of the information submitted at the hearing and finds as follows: Neighborhood for the factors of the factors of the information submitted at the hearing and finds as follows: Neighborhood for the factors of the factors		sufficient evidence to rebut the applicable presumption[s], and he
Thus, the burden of proof shifts back to the United States. PART III. PROOF (WHERE PRESUMPTIONS REBUTTED OR INAPPLICABLE) / The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, AND/OR / The United States has proved by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community. PART IV. WRITTEN FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION The Court has taken into account the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: Miss defendency March		dance to make the applicable and the first of the second o
PART III. PROOF (WHERE PRESUMPTIONS REBUTTED OR INAPPLICABLE) / The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, AND/OR / The United States has proved by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community. PART IV. WRITTEN FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION ##The Court has taken into account the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: **Design of the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: **Design of the factors	7 7 The detendant has come forward with evi	defice to reout the applicable presumption[s] to wit:
PART III. PROOF (WHERE PRESUMPTIONS REBUTTED OR INAPPLICABLE) / The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, AND/OR / The United States has proved by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community. PART IV. WRITTEN FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION ##The Court has taken into account the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: **Design of the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: **Design of the factors	Thus, the burden of proof shifts back to the U	nited States.
/ The United States has proved to a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required, AND/OR / The United States has proved by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community. PART IV. WRITTEN FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION Aft The Court has taken into account the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: **Meio differential for the hearing and finds as follows: **Meio differential for the hearing and finds as follows: **Meio differential for the hearing and finds as follows: **Meio differential for the hearing and finds as follows: **Meio differential for the hearing and finds as follows: **Meio differential for the hearing and finds as follows: **Meio differential for the hearing and finds as follows: **Meio differential for the hearing and finds as follows: **Meio differential for the hearing and finds as follows: **Meio differential for the finds as follows: **Meio differential for the Atlantage of the content for the findings.** PART V. DIRECTIONS REGARDING DETENTION The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the Jnited States or on the request of an attorney for the Government, the person in charge of the corrections facility shall deliver the lefendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.	-	
reasonably assure the appearance of the defendant as required, AND/OR / The United States has proved by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community. PART IV. WRITTEN FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION ### The Court has taken into account the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: **Discount of the International Andrews An		
reasonably assure the safety of any other person and the community. PART IV. WRITTEN FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION After Court has taken into account the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: Nein Suffernity Than Co. Suppreferry Methodstands Suffernity Indicated to the hearing and finds as follows: Nein Suffernity Ontol Management of the M		
PART IV. WRITTEN FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION AT The Court has taken into account the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: Weis defendants have a superfection of the information submitted at the hearing and finds as follows: Weis defendants have a superfection of the information submitted at the hearing and finds as follows: Weis defendant in the hearing and finds as follows: Weis defendant is attorney, and the AUSA have waived written findings. PART V. DIRECTIONS REGARDING DETENTION The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on the request of an attorney for the Government, the person in charge of the corrections facility shall deliver the lefendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.		
The Court has taken into account the factors set out in 18 U.S.C. § 3142(g) and all of the information submitted at the hearing and finds as follows: Miss defendances have the hearing and finds as follows: Miss defendances have the hearing and finds as follows: Miss defendances have the hearing and finds as follows: Miss defendances have the hearing and the hearin	·	
the hearing and finds as follows: Meis defendants has a second problem. He has been been formed and problems. He has been been formed for the hearing and finds as follows: Meistances. He has been been been formed for the following formed for the findings. PART V. DIRECTIONS REGARDING DETENTION The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the Jnited States or on the request of an attorney for the Government, the person in charge of the corrections facility shall deliver the lefendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.		
Involving methomsetament and marinuang. He has tested positive for both in these outerances. He has producted into as some luring land in methods of the findings. // Defendant, his attorney, and the AUSA have waived written findings. PART V. DIRECTIONS REGARDING DETENTION The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the Jnited States or on the request of an attorney for the Government, the person in charge of the corrections facility shall deliver the lefendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.	/\	
Joth of these substances. He was related in to a Soven luving Indian Internal And States of the Australia And Angles and		
And Camphila reins // Defendant, his attorney, and the AUSA have waived written findings. PART V. DIRECTIONS REGARDING DETENTION The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on the request of an attorney for the Government, the person in charge of the corrections facility shall deliver the lefendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.		
// Defendant, his attorney, and the AUSA have waived written findings. PART V. DIRECTIONS REGARDING DETENTION The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on the request of an attorney for the Government, the person in charge of the corrections facility shall deliver the lefendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.		
// Defendant, his attorney, and the AUSA have waived written findings. PART V. DIRECTIONS REGARDING DETENTION The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on the request of an attorney for the Government, the person in charge of the corrections facility shall deliver the lefendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.		to the property for metrom preforme
PART V. DIRECTIONS REGARDING DETENTION The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on the request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.		re waived written findings.
corrections facility separate to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on the request of an attorney for the Government, the person in charge of the corrections facility shall deliver the lefendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.	•	
The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the Jnited States or on the request of an attorney for the Government, the person in charge of the corrections facility shall deliver the lefendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.	The defendant is committed to the custody of the	Attorney General or his designated representative for confinement in a
Jnited States or on the request of an attorney for the Government, the person in charge of the corrections facility shall deliver the lefendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.	corrections facility separate to the extent practicable from p	ersons awaiting or serving sentences or being held in custody pending appeal.
lefendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.	The defendant shall be afforded a reasonable opportunity for	or private consultation with defense counsel. On order of a court of the
		•
Dated: 10/8/09 Bahicia V. Sumilar	lefendant to the United States Marshal for the purpose of a	n appearance in connection with a court proceeding.
PATRICIA V. TRUMBULL	Dated: 10/8/09	Patricia V. Trumbull PATRICIA V. TRUMBULL

United States Magistrate Judge